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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICARDO SAUCEDA MONTOYA,

Defendants.

CASE NO. 2:19-MJ-154-AC

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUSION OF TIME

DATE: March 19, 2020
TIME: 2:00 p.m.
COURT: Hon. Deborah L. Barnes

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney James R. Conolly, and defendant Ricardo Saucedo Montoya, both individually and by and through his counsel of record, Dina Santos, hereby stipulate as follows:

1. The Complaint in this case was filed on September 13, 2019, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on February 27, 2020. By previous order, the court set a preliminary hearing date of March 19, 2020.

2. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to April 2, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's continuing investigation of the case. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between March 19, 2020, and April 2, 2020, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

4. In addition, the parties jointly move to continue the hearing on the defendant's motion for bail review, currently set for March 19, 2020. For the sake of efficiency, the parties agree that the bail review motion hearing should be set for the same date and time as the preliminary hearing, April 2, 2020, at 2:00 p.m., before the duty Magistrate Judge.

IT IS SO STIPULATED.

Dated: March 16, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ JAMES R. CONOLLY
JAMES R. CONOLLY
Assistant United States Attorney

Dated: March 16, 2020

/s/ DINA SANTOS
DINA SANTOS
Counsel for Defendant
RICARDO SAUCEDA MONTOYA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

RICARDO SAUCEDA MONTOYA,

Defendant.

CASE NO. 2:19-MJ-154-AC

FINDINGS AND ORDER EXTENDING TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(d) AND EXCLUDING TIME

DATE: March 19, 2020
TIME: 2:00 p.m.
COURT: Hon. Deborah L. Barnes

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on March 16, 2020. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The Court further finds good cause to continue the defendant's motion for bail review.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to April 2, 2020, at 2:00 p.m.

2. The time between March 19, 2020, and April 2, 2020, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

4. The motion for bail review hearing, initially requested for March 19, 2020, is hereby continued to April 2, 2020, at 2:00 p.m.

IT IS SO ORDERED.

Dated: March 16, 2020


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE